THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.19490 OF 2006

ORAL ORDER:

This writ petition is filed seeking a declaration that the action of the respondent in issuing the sale notice dated 17.8.2006 under Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short "the Act"), as arbitrary and illegal.

Having heard the learned counsel for both the parties and having regard to the facts and circumstances of the case, I am of the opinion that the petitioner ought to have availed the efficacious alternative remedy available under Section 17 of the Act, by making an appropriate application before the Tribunal having jurisdiction.

Accordingly, without expressing any opinion on merits, the writ petition is dismissed granting leave and liberty to the petitioner to work out the remedy available under the Act. No costs.

(G. ROHINI, J.)

18th December, 2006.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.19490 OF 2006

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18th December, 2006.

Between:

J. Vijay Goud. .. Petitioner.

And

The Andhra Bank, Zonal Office,
Kurnool Zone, Kurnool District,
represented by its Authorised
Officer. .. Respondent.